

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL
APPLICATION UNDER 37 C.F.R. § 1.53(b)

MAIL STOP PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Customer No. **2 1 8 3 9**

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 C.F.R. § 1.53(b) of pending Application No. 09/051,395 filed on May 8, 1998, for PEPTIDES FOR TREATMENT OF INFLAMMATION AND SHOCK, by the following named inventor(s):

- (a) Full Name Ronald MATHISON
- (b) Full Name Joseph S. DAVISON
- (c) Full Name Dean BEFUS
- (d) Full Name Graham MOORE

☒ The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.

- (a) Full Name _____
- (b) Full Name _____
- (c) Full Name _____

☐ This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(5), a new oath or declaration is enclosed, and the Commissioner is requested to add the name(s) of the following person or persons who are inventors of the invention being claimed in this application.

- (a) Full Name _____
- (b) Full Name _____
- (c) Full Name _____

- ☐ Applicant(s) suggests Figure for inclusion on the front page of the patent application publication and/or patent.
- ☐ Applicant(s) requests that the published application include the following assignment information: .
1. ☒ Enclosed is a copy of the prior Application No. 09/051,395 as originally filed on May 8, 1998, including copies of the specification, claims, drawings and the executed oath or declaration as filed.
 2. ☐ Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
 3. ☒ Small entity status is hereby claimed.
 4. ☒ The filing fee is calculated below [X] and in accordance with the enclosed preliminary amendment:

C L A I M S					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$770.00 (1001)
Total Claims	21	MINUS 20 =	1	× \$18.00 (1202) =	\$18.00
Independent Claims	2	MINUS 3 =	0	× \$86.00 (1201) =	-0-
If multiple dependent claims are presented, add \$290.00 (1203)					
Total Application Fee					\$788.00
If small entity status is claimed, subtract 50% of Total Application Fee					\$394.00
Add Assignment Recording Fee of \$ <u>\$40.00 (8021)</u> if Assignment document is enclosed					
TOTAL APPLICATION FEE DUE					\$394.00

5. ☐ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
6. ☒ Charge \$ 394.00 to Deposit Account No. 02-4800 for the fee due.
7. ☐ A check in the amount of \$ is enclosed for the fee due.
8. ☒ The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

9. ☐ Cancel in this application original claims _ of the prior application before calculating the filing fee.
10. ☐ New drawings are enclosed.
11. ☒ Priority of Application No. 9617021.2 filed on August 13, 1996 in Great Britain (country) is claimed under 35 U.S.C. § 119.
- ☒ The certified copy of the priority application
- ☐ is enclosed.
- ☒ was filed in the International Bureau in PCT/CA97/00568, filed on August 13, 1997.
- ☐ has not yet been filed.
12. ☒ A preliminary amendment is enclosed.
13. ☒ An Information Disclosure Statement Transmittal, an Information Disclosure Statement, a PTO Form 1449 listing 34 documents are enclosed.
14. ☐ A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.
15. ☒ Also enclosed are: a Request to Use Computer Readable Form From Parent Application Pursuant to 37 C.F.R. § 1.821(e), a Declaration Pursuant to 37 C.F.R. §§ 1.821-1.825, and a paper copy of the Sequence Listing.
16. ☒ The power of attorney in the prior application is to Teresa Stanek Rea, RN. 30,427.
- a. ☒ The power appears in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☒ Recognize as Associate Attorney Susan M. Dadio, RN. 40,373.

Request for Filing Continuation/Divisional Application
of Application No. 09/051,395
Attorney's Docket No. 024916-013
Page 4

- d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
Customer Number: **2 1 8 3 9**
P.O. Box 1404
Alexandria, Virginia 22313-1404

Date: February 9, 2004

By: 

Teresa Stanek Rea

Registration No. 30,427

Reg. No.
40,373

ADDRESS OF SIGNATOR:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

- ☐ inventor(s)
☐ assignee of complete interest
☒ attorney or agent of record
☐ filed under 37 C.F.R. § 1.34(a)